

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LP MATTHEWS LLC,)
Plaintiff,)
v.) Civ. No. 04-1507-SLR
BATH & BODY WORKS, INC.,)
LIMITED BRANDS, INC., KAO)
BRANDS CO., and KAO CORP.,)
Defendants.)

BATH & BODY WORKS, INC., and)
LIMITED BRANDS, INC.,)
Counterclaim)
Plaintiffs,)
v.)
LP MATTHEWS LLC,)
Counterclaim)
Defendant.)

ORDER

At Wilmington this 19th day of October, 2006, consistent with the memorandum opinion issued this same date;

IT IS ORDERED that:

1. Defendants Bath & Body Works, Inc.'s and Limited Brands, Inc.'s motions for summary judgment (D.I. 258, 265, 268, 272) are denied.

2. Defendants Kao Brands Co.'s and Kao Corporation's motions for summary judgment (D.I. 245, 247) are denied.

3. Plaintiff LP Matthews's motion to exclude the trial testimony of Michael H. Davis (D.I. 234) is granted.

4. Defendants Bath & Body Works, Inc.'s and Limited Brands, Inc.'s motion to exclude the trial testimony of Larry W. Evans (D.I. 239) is granted.

5. The parties' remaining Daubert motions (D.I. 230, 231, 232, 233) are denied.



United States District Judge